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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/606,910	06/29/2000	Uwe Karsten	050185	7839
23464 7590 05/01/2007 BUCHANAN INGERSOLL & ROONEY PC P.O. BOX 1404 ALEXANDRIA, VA 22313-1404			EXAMINER RAWLINGS, STEPHEN L	
			ART UNIT 1643	PAPER NUMBER
			MAIL DATE 05/01/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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20070425

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

APPLICANT IS GIVEN 30 days FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen L. Rawlings, Ph.D. whose telephone number is (571) 272-0836. The examiner can normally be reached on Monday-Friday, 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Larry Helms, Ph.D. can be reached on (571) 272-0832. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


STEPHEN L. RAWLINGS, PH.D.
PRIMARY EXAMINER

Notice to Comply

Application No.

09/606,910

Examiner

Stephen L. Rawlings, Ph.D.

Applicant(s)

KARSTEN ET AL.

Art Unit

1643

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY

STIC Biotechnology Systems Branch

RAW SEQUENCE LISTING ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/606,910F
Source: IFW/16
Date Processed by STIC: 4/5/07

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 4.4.0 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE).
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05):
U.S. Patent and Trademark Office, Mail Stop Sequence, Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Revised 01/10/06

Raw Sequence Listing Error Summary

ERROR DETECTED

SUGGESTED CORRECTION

SERIAL NUMBER: 09/606,910F

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

- 1 Wrapped Nucleics
 Wrapped Aminos The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."
- 2 Invalid Line Length The rules require that a line not exceed 72 characters in length. This includes white spaces.
- 3 ✓ Mismatched Amino
 Numbering The numbering under each 5th amino acid is mismatched. Do not use tab codes between numbers; use space characters, instead.
- 4 Non-ASCII The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.
- 5 Variable Length Sequence(s) contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.
- 6 PatentIn 2.0
 "bug" A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequence(s) . Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.
- 7 Skipped Sequences
 (OLD RULES) Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence:
 (2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
 (i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)
 (xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
 This sequence is intentionally skipped
 Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.
- 8 Skipped Sequences
 (NEW RULES) Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence.
 <210> sequence id number
 <400> sequence id number
 000
- 9 Use of n's or Xaa's
 (NEW RULES) Use of n's and/or Xaa's have been detected in the Sequence Listing.
 Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present.
 In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.
- 10 Invalid <213>
 Response Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence. (see item 11 below)
- 11 Use of <220> Sequence(s) missing the <220> "Feature" and associated numeric identifiers and responses. Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section or use "chemically synthesized" as explanation. (See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32), also Sec. 1.823 of Sequence Rules
- 12 PatentIn 2.0
 "bug" Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.
- 13 Misuse of n/Xaa "n" can only represent a single nucleotide; "Xaa" can only represent a single amino acid



IFW16

RAW SEQUENCE LISTING

DATE: 04/05/2007

PATENT APPLICATION: US/09/606,910F

TIME: 10:02:12

Input Set : A:\050185Sequence.txt

Output Set: N:\CRF4\04052007\I606910F.raw

3 <110> APPLICANT: Max-Delbrueck-Centrum fuer Molekulare Medizin
 5 <120> TITLE OF INVENTION: Tumor vaccines for mucl-positive carcinomas
 7 <130> FILE REFERENCE: 0107-027
 C--> 9 <140> CURRENT APPLICATION NUMBER: US/09/606,910F
 10 <141> CURRENT FILING DATE: 2000-06-29
 12 <150> PRIOR APPLICATION NUMBER: DE 197 58 400.4
 13 <151> PRIOR FILING DATE: 1997-12-30
 15 <150> PRIOR APPLICATION NUMBER: PCT/DE98/03819
 16 <151> PRIOR FILING DATE: 1998-12-30
 18 <160> NUMBER OF SEQ ID NOS: 6
 20 <170> SOFTWARE: PatentIn Ver. 2.1

see pp 1-2

Does Not Comply
Corrected Diskette Needed

ERRORED SEQUENCES

22 <210> SEQ ID NO: 1
 23 <211> LENGTH: 7
 24 <212> TYPE: PRT
 25 <213> ORGANISM: human
 27 <220> FEATURE:
 28 <223> OTHER INFORMATION: immunodominant region of MUC1
 30 <400> SEQUENCE: 1
 31 Pro Asp Thr Arg Pro Ala Pro
 E--> 32 1 ~~5~~ 5
 34 <210> SEQ ID NO: 2
 35 <211> LENGTH: 8
 36 <212> TYPE: PRT
 37 <213> ORGANISM: mouse, IgG1
 39 <220> FEATURE:
 40 <223> OTHER INFORMATION: A76-A/C7 epitope
 42 <400> SEQUENCE: 2
 43 Ala Pro Asp Thr Arg Pro Ala Pro
 E--> 44 1 ~~5~~ 5
 47 <210> SEQ ID NO: 3
 48 <211> LENGTH: 6
 49 <212> TYPE: PRT
 50 <213> ORGANISM: mouse, IgG1
 52 <220> FEATURE:
 53 <223> OTHER INFORMATION: MF06 epitope
 55 <400> SEQUENCE: 3
 56 Asp Thr Arg Pro Ala Pro
 E--> 57 1 ~~5~~ 5
 59 <210> SEQ ID NO: 4

misaligned amino acid numbers (see item 3 on Error Summary sheet)

misaligned numbers

misaligned

RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/606,910F

DATE: 04/05/2007

TIME: 10:02:12

Input Set : A:\050185Sequence.txt

Output Set: N:\CRF4\04052007\I606910F.raw

```

60 <211> LENGTH: 21
61 <212> TYPE: PRT
62 <213> ORGANISM: Artificial Sequence
64 <220> FEATURE:
65 <223> OTHER INFORMATION: Description of Artificial Sequence: designed
66     synthetical glycopeptide
68 <400> SEQUENCE: 4
69 Ala His Gly Val Thr Ser Ala Pro Asp Thr Arg Pro Ala Pro Gly Ser
E--> 70  1  5-10-15  5      10      15
72 Thr Ala Pro Pro Ala
E--> 73  20      20      misaligned numbers
75 <210> SEQ ID NO: 5
76 <211> LENGTH: 20
77 <212> TYPE: PRT
78 <213> ORGANISM: Artificial Sequence
80 <220> FEATURE:
81 <223> OTHER INFORMATION: Description of Artificial Sequence: designed
82     synthetical glycopeptide
84 <400> SEQUENCE: 5
85 His Gly Val Thr Ser Ala Pro Asp Thr Arg Pro Ala Pro Gly Ser Thr
E--> 86  1  5-10-15  5      10      15
88 Ala Pro Pro Ala
E--> 89  20      20      misaligned
93 <210> SEQ ID NO: 6
94 <211> LENGTH: 7
95 <212> TYPE: PRT
96 <213> ORGANISM: human
98 <220> FEATURE:
99 <221> NAME/KEY: DOMAIN
100 <222> LOCATION: (1) .. (7)
101 <223> OTHER INFORMATION: immunodominant motif of the epithelial mucin (
102     MUC1)
104 <400> SEQUENCE: 6
105 Pro Asp Thr Arg Pro Ala Pro
E--> 106  1  5      5

```

VERIFICATION SUMMARY

PATENT APPLICATION: US/09/606,910F

DATE: 04/05/2007

TIME: 10:02:13

Input Set : A:\050185Sequence.txt

Output Set: N:\CRF4\04052007\I606910F.raw

L:9 M:270 C: Current Application Number differs, Replaced Current Application Number
L:32 M:332 E: (32) Invalid/Missing Amino Acid Numbering, SEQ ID:1
L:44 M:332 E: (32) Invalid/Missing Amino Acid Numbering, SEQ ID:2
L:57 M:332 E: (32) Invalid/Missing Amino Acid Numbering, SEQ ID:3
L:70 M:332 E: (32) Invalid/Missing Amino Acid Numbering, SEQ ID:4
L:73 M:332 E: (32) Invalid/Missing Amino Acid Numbering, SEQ ID:4
L:86 M:332 E: (32) Invalid/Missing Amino Acid Numbering, SEQ ID:5
L:89 M:332 E: (32) Invalid/Missing Amino Acid Numbering, SEQ ID:5
L:106 M:332 E: (32) Invalid/Missing Amino Acid Numbering, SEQ ID:6